IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION No: 12198 of 2005

Dated 28th September, 2006

Between
M.Penchala Swamy

… Petitioner

And

The Commissioner, Endowments Department,
Hyderabad and another.

…Respondents.

ORAL ORDER:

The petitioner while working as Barber claims to have requested the second respondent to appoint him to the post of Junior Assistant and the second respondent sent proposals to the first respondent – Commissioner to consider the case of the petitioner for appointment to the post of Junior Assistant. Stating that though the proposals were sent as early as on 2.5.2005 recommending the name of the petitioner for appointment to the post of Junior Assistant, no action has been taken by the first respondent, this writ petition is filed.

But, however, in the counter affidavit filed on behalf of the first respondent, it is stated that there is no post of Junior Assistant in the cadre strength approved by the Commissioner, and, in the absence of any post of Junior Assistant in the approved cadre strength, it is not obligatory on the part of the first respondent to consider such proposals for appointment of the petitioner to the post of Junior Assistant by downgrading the post of Senior Assistant.

In that view of the matter, I dispose of the writ petition with a direction that as and when the post of Junior Assistant is approved in the cadre strength, the second respondent temple shall consider the case of the petitioner for appointment to the post of Junior Assistant, subject to his eligibility and send fresh proposals. As and when fresh proposals are sent in a clear vacancy of Junior Assistant, it is open for the Commissioner to consider the same.

Subject to above said direction, the writ petition is disposed of. No costs.

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28.9.2006

R.SUBHASH REDDY, J.

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